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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,554	04/19/2004	Monica L. Workens	7581-000005/	3427

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EXAMINER
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WALSH, DANIEL I

ART UNIT	PAPER NUMBER
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2876

DATE MAILED: 03/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

**Office Action Summary**

Application No.

10/827,554

Applicant(s)

WORKENS, MONICA L.

Examiner

Daniel I. Walsh

Art Unit

2876

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                           |                                                                                         |
|-------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                      | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>5-04</u> . | 6) <input type="checkbox"/> Other: ____.                                                |

### DETAILED ACTION

1. Receipt is acknowledged of the IDS received on 24 May 2004.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 and 16-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn (US 5,859,419).

Re claim 1, Wynn teaches a universal account card having a memory, the memory storing a plurality of account identifiers, each account identifier being associated with an account which may be debited to fund a sales transaction, at least one of the account identifiers being associated with a securities account (col 4, lines 55+); reading the account identifiers from the universal account card; selecting one of the accounts to fund the sales transaction (it is understood that account identifiers are present, because the card is read (reader 202) and accounts are selected, therefore the Examiner contends that an identifier is present to permit selection), and selection occurs (col 6, lines 10+)); and debiting the one account to obtain proceeds to fund the sales transaction (see TABLES 1-3 which show debiting/charging of accounts based on transactions).

Re claim 2, the Examiner notes that when a purchase using a credit card account (col 6, lines 5+) is completed, it is understood that a retailer account is credited with at least a portion of

the proceeds, as is well known and conventional in the art, to complete a transaction and transfer of funds.

Re claim 3, the Examiner notes that it is obvious that when a transaction is completed, to transfer funds/proceeds from the purchaser account to the retailer account (as is conventional with credit card purchases) in order to pay for goods/services.

Re claim 4, it has been discussed above that a reader is used to read a card, interpreted to include reading account identifiers, as different accounts are displayed (col 6, lines 10+). As the card is used to purchase groceries via cash register 380 (in one example), and used at an ATM 374 (in another example), it is interpreted as a terminal with a reader.

Re claim 5, the Examiner notes that it is well known and conventional in the art that computer devices such as ATM machines and cash registers (as discussed above) are coupled with processors/controllers to complete electronic transactions. Accordingly, it is well known and conventional to have the terminal send a signal to the controller to complete a transaction (such as the terminal sending a signal indicating that a transaction is approved/complete (payment for goods, withdrawal of funds, transfer of money, etc.) and then the controller/processor activated in response to the signal received, to print a receipt, dispense funds, etc.

Re claim 16-17, Wynn teaches verifying the use of the universal account card before the account identifiers are read from the card by use of a PIN or password (col 5, lines 59+).

Re claims 18-21, the limitations have been discussed above.

3. Claims 6-7 and 13-15 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn, as discussed above, in view of Ramachandran (US 2001/0013551).

The teachings of Wynn have been discussed above. Re claim 7, as the applicant has not explicitly defined/limited the term “account statement”, the Examiner broadly interprets the card (from which a bar code is scanned) as an account statement, because it represents/states the account. Re claim 23, the limitations have been discussed above.

Re claim 6, Wynn is silent to populating the universal account card with account identifiers by scanning a bar code of a document and storing information associated with the scanned bar code to memory. Re claim 13, Wynn is silent to populating a portion of the memory of the universal card with account identifiers by electronically importing account information from a magnetic stripe on a card.

Re claim 6, Ramachandran teaches a bar code reader to populate a card with account identifiers by scanning a barcode of a card (document), and storing the associated information into the card memory (paragraph [0033] and FIG. 43-52). Re claim 13, Ramachandran teaches populating a memory of a universal card by electronically importing account information from a magnetic stripe on a card (FIG. 15-24). Re claims 14-15, the Examiner notes that it is well known and conventional that credit card information included on a magnetic stripe includes a routing number and account number (see US 2001/0013542). Re claim 22, Ramachandran teaches that account identifiers can be populated into the memory without manually inputting an account number (FIG. 18). Re claim 24, as both the account numbers and custom user specified card identifiers are read, it is interpreted by the Examiner to be at least partially associated with information that is imported from a credit report, as it is well known that credit reports include account information, and therefore its obvious to relate the identifiers to such information for identification purposes.

At the time the invention was made it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Wynn with those of Ramachandran.

One would have been motivated to do this in order to have convenient ways of importing card information from different cards.

4. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn/Ramachandran, as discussed above, in view of Dorf (US 6,189,787).

Re claims 8-9, the teachings of Wynn/Ramachandran have been discussed above.

Wynn/Ramachandran are silent to the scanned barcode including a routing number and an account number that is stored into the card memory.

The Examiner notes that it is well known and conventional that an account number/routing number are well known and conventional to be stored/required on a credit card (encoded form) in order to facilitate/validate a transaction (see US 2001/0013542).

Dorf teaches that such information (BIN and identification number) could be encoded as a barcode on a card (col 4, lines 40+).

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Wynn/Ramachandran with those of Dorf.

One would have been motivated to do this in order to add a bar-coded credit card account (for example) to the memory of the universal card, in order to provide convenience by consolidating accounts from various cards onto it, where such stored information includes required credit card information.

5. Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wynn, as discussed above, in view of Houvener (US 6,424,249).

The teachings of Wynn have been discussed above.

Wynn is silent to electronically importing account information to populate the memory of the universal card, as Wynn teaches automatic importing through reading the card via the card reader, for example. The Examiner notes that it is well known and conventional in the art, for card readers to also include a user interface/keypad for manual entry of card information.

Houvener teaches keypad 5 can be used to manually enter account information.

At the time the invention was made, it would have been obvious to an artisan of ordinary skill in the art to combine the teachings of Wynn with those of Houvener.

One would have been motivated to do this to provide for manual entry of card data, when desired.

Though Wynn/Houvener are silent to manually entering the information (which is electronically imported via subsequent writing) from a credit report, the Examiner notes that it is well known and conventional that credit reports include account information (account numbers and routing/BIN numbers, which are necessarily associated/part of certain account numbers (see Horowitz et al. US 2001/0013542 for example)). Therefore, as the account identifiers are electronically imported (written to the card), the selection of a credit report, account statement, etc. to obtain account information is a matter of intended use. One of ordinary skill in the art would find it obvious to enter such data manually from documents including the necessary data, from memory, from an account statement, etc. Additionally, the Examiner notes that providing a manual means to replace/supplement an automated means involves only routine skill in the art.

***Conclusion***

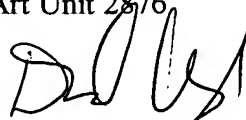
6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Trampusch (US 3,812,328), Hennige (US 5,276,311), Pitroda (US 5,590,038), Wankmueller (US 6,857,566), Horowitz et al. (US 2001/0013542), Cuervo (US 2002/0174016), Hirka et al. (US 2003/0061157), Algiene et al. (US 2004/0112952), Sullivan (US 2004/0193539), Breck et al. (US 2004/0210449), Gutman et al. (US 5,221,838), Ogasawara (US 6,512,919), and Nair et al. (US 5,438,186).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel I. Walsh whose telephone number is (571) 272-2409. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on (571) 272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel I Walsh  
Examiner  
Art Unit 2876



Daniel Walsh